



The Rope House on Fire.



John the Painter, under Confinement.



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K Atkyn THE TRIAL 2

OF
JAMES HILL,

alias,

JOHN the PAINTER,

For wilfully and maliciously setting Fire
to the ROPE-HOUSE, in the King's
Yard at PORTSMOUTH;

Tried at Winchester, March 6th, 1777.

Before the Hon. Sir WILLIAM HENRY ASHURST, knt.
and Sir BEAUMONT HOTHAM.

Taken in SHORT-HAND by a Gentleman at the
TRIAL.



L O N D O N:

Printed for F. FOREMONT, near Temple Bar.

JOHN DE WATKINS

Presented to the House of Commons
in the year 1791
Yours &c

John de Watkins
of the County of Middlesex
Esq

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T H E
T R I A L
O F

JAMES HILL,

alias,

JOHN the PAINTER.

ON Thursday; March 6th 1777, came on at the Assizes holden at Winchester, for the county of Hants, before Mr. Justice Ashurst and Mr. Baron Hotham, the Trial of James Hill, otherwise James Hind, otherwise James Ackson, commonly known by the name of JOHN the PAINTER; for setting Fire to the Rope-house at Portsmouth, on Saturday the 7th of December, 1776.

The Clerk of Arraigns addressed him in the following manner.

Prisoner, hold up your hand—you stand indicted by the name of James Hill, otherwise James Hind, otherwise John Hind, otherwise James Ackson, late of the parish of Portsea, in this county, labourer, for that you on the 7th of December, in the sixteenth year of the reign of our sovereign, with force and arms at Portsea, in the said county, 20 ton weight of hemp, value 100l.—10 cable ropes of 100 fathom length and three inches in circumference, value 80l, and 6 ton

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weight

weight of cordage, value 200l.; them being the naval stores of our Lord the King, and them being placed in a certain building called the Rope house, feloniously, wilfully, &c. did set on fire, and caused to be set on fire, and burnt, against the statute, and against the peace.

The indictment farther charges, that you James Hill, otherwise James Hind, otherwise John Hind, otherwise James Ackson, on the 7th day of December last, with force and arms at Portsea, in the said county, a certain building there called a Rope-house, did set on fire, and cause and procure to be set on fire against the form of the statute, and against the peace of our Lord the King, his Crown and Dignity.—How say you? are you guilty or not guilty?

Pris. Not guilty.

Clerk of the Arraignment. How will you be tried?

Pris. According to the laws of the country.

Clerk. God send you a good deliverance.

Mr. Fielding, council for the Crown, opened the Indictment to the following purport;

Gentlemen, This is an Indictment against James Hill, otherwise James Hind, otherwise James Ackson, and it is for a crime which is so atrocious and of so horrid a nature, as to render it impossible to fix any epithet upon it sufficiently descriptive of its malignity.

This is the first instance, Gentlemen, of its existence, and I hope in God it will be the last.

The Indictment you have heard already, stands upon three Counts.

The prisoner at the bar is first charged with setting fire to the hemp, and so forth, stated in the indictment.—The 2d Count is for being a certain building, called a Rope-house—and the 3d Count is for firing his Majesty's naval stores.

William Teneb sworn, examined by Mr. Mansfield.

Q. William Teneb, did you ever see the prisoner?

A. Yes, Sir.

Q. Where?

A. At my master's house.

Q. Where is that?

A. Just without the Westgate, Canterbury.

Q. Did you make any tin thing for him?

A. Yes, I did, Sir.

Q. Will you look at that—(shewing him the tin box that was found in the Hemp-house)—tell us whether that is the thing that you made for him?

A. Yes, this is the machine.

Q. That is the machine you made for him?

A. Yes, it is.

Q. When was it you made it for him?

A. A month or six weeks before Christmas.

Q. Now, when was it that you first heard any enquiry made to you about making this canister?

A. The Monday before last.

Mr. Serjeant Davy to the prisoner. Will you ask him any question?

Pris. Q. to the witness—You say that you made this canister one month or six weeks ago?

W. Tench. A month or six weeks before Christmas.

Pris. Pray, how do you know the canister?

W. Tench. I know the seam, the folder of the seam.

Pris. I saw one canister similar to that a few days ago, with a seam as that. How can you know one seam from another?

W. Tench. It was very bad folder.

Pris. Speak out, I don't hear that answer.

W. Tench. This is bad folder.

Pris. Can you swear to the folder?

W. Tench. Yes.

Pris. How do you know me,—by my face, or dress, or what?

W. Tench. I know you are the very man that came to me about it.

Pris. How do you know it?

W. Tench. I know you by your person, Sir, by your hair, and you cloaths that you have on now.

Pris. What cloath? pray what particular garment?

W. Tench. The same coat on that you have got now.

Pris. What this coat, (taking hold of his furtout coat.)

W. Tench. No, not the great coat.

Pris. What, this? (taking hold of his under coat.)

W. Tench. Yes, or nigh the colour upon it.

Mr. Serjeant Davy. Will you ask any more questions?

Pris. No—I have now one other question to ask;—what particular day was it in which you made this tin canister?

W. Tench. I really cannot tell what particular day it was.

Pris.

Pris. Was it so much as six weeks before Christmas?

W. Trench. It is as nigh as I can tell, about six weeks before Christmas.

Pris. Was it more or less do you think?

W. Trench. I really cannot tell.

Pris. I think, gentlemen, he ought to recollect, whether it is more or less than six weeks before Christmas?

W. Trench. I really cannot tell.

Court. He did not speak positively of it; before he said a month or six weeks before Christmas.

Pris. I have no other questions.

Elizabeth Boxall sworn, examined by Mr. Messing.

Q. Have you ever seen the prisoner at the bar before?

A. That is the man that lived in my house.

Q. Did you see him before, Mrs. Boxall?

A. I have.

Q. When did you see him?

A. I saw him the day before the Yard was on fire.

Q. Where did you see him?

A. At my house.

Q. Where is your house, Mrs. Boxall?

A. My house is at No. 10, Berwick-street.

Q. Where is that?

A. At Portsmouth.

Q. What did he come to your house for, Mrs. Boxall?

A. For lodging.

Q. Did he lodge at your house?

A. One night.

Q. What night was that?

A. The night before the fire happened.

Q. Did you observe any thing particular relating to him in the room he lodged in?

A. A very ugly smell; a very sulphurous smell on the Friday as well the Saturday.

Q. In the evening as well as morning?

A. In the morning of the Friday.

Q. When he first came to your house?

A. Yes.

Q. And on the morning of the Saturday too?

A. On the morning of the Saturday, the house was in a great smell and smoke.

Q. Did you examine what it was?

A. I went up stairs, and when I went up stairs I pushed open the door, I could scarce see my hand before me for the sulphury smoke.

Court. Did you say you could not open the door?

A. I pushed open the door.

Counsel. Did you take notice of any thing particular. in the room, besides the smoke?

A. I asked him what he was about, whether he was going to set my house on fire, I was very much frightened.

Q. Did he make any answer to that?

A. He asked me what I was afraid of, I told him fire was a thing I very much dreaded.

Q. Did you observe what occasioned the smoke in the room?

A. As I was making my bed, I turned myself round, and found he had been burning something on the hob, and upon the hearth likewise.

Q. What is the hob?

A. Upon the side of the fire-place.

Q. Did you observe any thing else in the room?

A. I took a candle from the chair, he had a lighted candle which he lighted on Saturday morning. a little bit of candle which he carried up stairs with him, but the candle I took from him was not the same candle he carried up stairs with him.

Q. Did you observe any thing else?

A. He was doing something in the chair with little papers the breadth of my hand.

Q. Did you go into the room at any other time?

A. I carried down a candle, and went up stairs as fast as possible for me to go—I had opened the window before, but he came and shut it, and I told him he should not shut my window, if I chose to have it open.

Q. Did you observe any other thing at other times in your room?

A. Yes, upon the Friday, in his bundle which I observed there was a shirt and a part of an old tin case,

Q. Repeat that to me?

A. I looked into his bundle, my Lord.

Q. What did you find there?

A. I saw a tin case, part of an old shirt, and a pair of leather breeches upon the top of it.

Q. Upon the case?

A. Upon the case, my Lord.

Q. Did you take notice of the case?

A. I viewed it a quarter of an hour.

Q. Be kind enough to view that tin case? (shewing her the tin case that was found.)

A. It is as much like, and believe it to be the same.

Q. You had some dispute with him about his smoking the room?

A. I did, I ordered him out of the house.

Q. This was upon the Saturday morning?

A. This was upon the Saturday morning between nine and ten o'clock, then he left my house.

Q. And he never returned?

A. He never returned to my house.

Cross Examination.

Court. Did you never see him again?

A. I saw him in the High-street; I watched him into the middle of the road.

Q. Was the cannister in the bundle when he took it?

A. I cannot say it was, for on Friday I saw the canister, but not on the Saturday.

Court. Would you ask her any question, prisoner?

Pris. Not at present, I will afterwards.

Court. If you mean to call her in your defence, this is the proper time to ask her any question?

Pris. I have no question to ask her at present, I had rather keep silent at present.

Mr. Serjeant Davy. She shall stay for you.

Commissioner Gambier sworn, examined by Mr. Buller.

Q. Have you got the bundle spoken of by the witness?

A. Here is the bundle,

Q. From whom did you receive it?

A. From my first Clerk, Mr. John Jeffreys.

Q. Has it been in your possession ever since?

A. It has been in my possession ever since, exactly in the same state.

Mr. Serjeant Davy questioned Mrs. Boxall. Is this the same handkerchief you saw with the prisoner?

A.

A. It is very much like it, it is the same sort of handkerchief.

John Jeffreys sworn, examined by Mr. Buller.

Q. Do you know that bundle? (shewing him the bundle.)

A. That I believe is the handkerchief; I have no doubt of it.

Q. Who did you receive it from?

A. Upon the evening of Thursday the 20th of February, I had Commisliioner Gambier's orders to make search in North-street, or caused to be made in North-street, or in the neighbourhood, for such a bundle.

Q. When?

A. Upon the evening of Thursday the 10th of February.

Q. Where did you go to make that search?

A. Ordered a junior Clerk and the messenger of the office to make that search in North-street, and its neighbourhood; he came back in about an hour's time, and he told me, that he had searched that street, except a few houses, in one of which a particular person was not at home.

Q. Did he go and search that house?

A. Not that night.

Q. When did he search it, did you go to the house and find that bundle?

A. I went the next morning and found the bundle?

Q. Where?

A. At Mrs. Cole's, in North-street.

Q. There you found that bundle?

A. There I found that bundle, I can tell the contents partly of it.

Pris. Mrs. Boxall may go away.

Mrs. Cole sworn, examined by the Prosecutor's Council.

Q. Look at the man behind you, do you know him?

A. Yes.

Q. Did you ever see the prisoner?

A. Yes.

Q. Where did you see him?

A. At my house.

Q. Where is your house?

A. In North-street, Portsmouth,

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Q. When

Q. What was the occasion of his coming to your house?

A. To take a lodging.

Q. Did he take one?

A. Yes.

Q. Did he leave any thing when he went away?

A. He left a bundle.

Q. Look at that bundle? (Shewing the bundle before produced.)

A. That is like it, Sir.

Q. What became of the bundle which he left?

A. I took it from my bed, where it was.

Q. Who had it from you, was that gentlemen there when the bundle was delivered by you?

A. Yes.

Q. Was he one of the persons that received it?

A. He was, Sir.

Q. Had you kept the bundle from the time you found it, till delivered to Mr. Jeffreys, and the person that came with him?

A. Yes.

Q. Did the prisoner come to your house the morning of the fire?

A. Yes.

Q. How long did he stay?

A. About a quarter of an hour.

Q. What time of the day was that?

A. In the forenoon between nine and twelve, the hour I cannot pretend to say.

Q. He stay'd about a quarter of an hour, and then went out?

A. Yes.

Q. Did he return again?

A. No.

Q. Did you open that bundle?

A. It was not tied close, and I saw a little way open.

Q. What did you see in the bundle?

A. I saw some books, Sir.

Q. Did you ever open it till this gentleman came to look at it?

A. Never untied it.

Q. You never took any thing out, or put any thing in?

A. I never untied it till the gentleman took it.

Court. Mrs. Cole, you say the prisoner came back and staid about a quarter of an hour. When did he come back?

A. He never came back.

Court. I understood her to say he came back?

Mr. S. Davy. No, never came back; came there and staid a quarter of an hour.

John Baldwin sworn.

Pris. I cannot embrace you now as I did on Monday se'n night.

Counsel for the Prosecutor Q. Baldwin. Look at the prisoner at the bar, When did you first see him?

A. The 7th of February.

Q. Where did you first see him?

A. Upon the 7th of February.

Q. Where did you then see him?

A. At Sir John Fielding's.

Q. Upon what occasion?

A. Lord Temple sent his servant to me on the 6th of February, to inform me I should be sent to by Sir John Fielding, in order to give evidence against a person who was looked upon to be a painter, and had been at America.—Knowing that I had been there likewise, he thought that I might know the prisoner.

Q. I believe you had been sent for by the family of Mr. Grenville to Sir John Fielding's, under a supposition you might know the prisoner at the bar, being a painter, and at America?

A. Yes, Sir.

Q. You have been at America?

A. Yes, Sir.

Q. You have been in America?

A. Yes, Sir, I have been at New-York, Philadelphia, and Amboy.

Q. You are a painter?

A. Yes.

Q. You, upon the recommendation of Lord Temple, went to Sir John F——, and was asked, whether you knew him?

A. I did. I told Sir John, I never had known him; to the best of my recollection I never saw him till I saw him in

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the adjoining room. The prisoner was at the bar. I made oath of it to Sir John.

Q. This you said in the prisoner's hearing, and that you saw him in an outer room?

A. The prisoner made me a bow at the bar as soon as I had given the evidence at the bar—in the other room I saw him afterwards.

Q. What passed in the other room?

A. In the other room I went to sign my name to a deposition, and, in going away, the prisoner beckoned to me with his head. I went and sat down by him: he asked me what part of America I had been in, and who I knew there. I mentioned the greatest men in Philadelphia. He asked me if I knew any planters in Philadelphia; I told him many. Who do you know there? I mentioned David Hall.

Q. You mentioned who you knew there?

A. Yes; ———k said, I see, says he, you know the place very well; you are not like evidences brought against me. There was one person saw me, but said I had changed the colour of my hair, did they think I was a camelion? Another person said I was transported from Gloucester jail, and he said, you are a gentleman, and wished he could make me satisfaction. He told me he should be very glad to see me at a place called New Prison; I told him I would come whenever he pleased, I could get admission, I told him, I did not know what time I should be discharged from ———, if I can come, I will come; it was near four before I got there to see the prisoner; he was between two gates; he and I walked together. We adjourned to a corner by ourselves, he mentioned a great deal about America, mentioning the gentlemen's names.

Q. This was in New Prison?

A. This was in New Prison, and the same afternoon he begged I would call upon him the next day, I went and acquainted Lord Temple what information I had, and Lord Temple said he thought it was very material, and thought Lord George should be acquainted with it.

Q. That is Lord George Germain?

A. Lord George Germain he corroborated with it. I carried a letter there, and was introduced to Lord George Germain, who said he was of the same opinion with Lord Temple, and all probable care should be taken for me to have liberty to see the prisoner and bring him to a confession if

if possib'le. I went the next day, and had a discourse as before about America. He found, by discourse, I was an American by princip'e; He asked me what countryman I was; I told him a Welchman; he said, by your first appearance I thought you a person interested in the cause of America; I told him I married a wife at Amboy, and removed to Philadelphia; and there lived and had a son, and that son I had now in London: I told him my wife and son would be very glad to see him.

Q. You entered into a very general conversation, you being of the same trade?

Pris. I desire that the person should speak very particular, as that concerns me; I am concerned in it.

Mr. Serj. Dawy to the witness. Go on, as you was going on, you mentioned about your family?

A. Yes, and that I lived in Philadelphia many years;—I had a son now in London, who I said would be very desirous of seeing him. I told him my wife was very much indisposed, which he said he was very sorry for. I waited upon him from day to day, 'till the 15th of Feb. the 15th he told me all the particulars; he asked me if I knew one Mr. Dean, I told him no; he said, No! he said not Mr. Dean employed by the Congress at Paris! I said, No.

Q. He said No, not know Mr. Dean, who was employed by the Congress at Paris!

Pris. I remarked to the evidence to remember, there is a righteous Judge, who always gives righteous judgment; and to be aware of what you say of Mr. Dean; perjure not yourself; you are in the sight of God and all this company.

Baldwin. Not Silas Dean, he says; I told him no; he said he is a fine fellow, a clever fellow, says he; and I believe that Benjamin Franklin is employed on the same errand. He said that he had taken a view of most of the dock-yards and fortifications throughout England, and particularly the number of guns that each ship in the navy mounted; likewise the guns in the fortifications, the weight of their metal, and the number of men; and he had been at Paris two or three times, and informed Mr. Silas Dean.

Pris. Your own soul is in the case; consider what you say in the sight of God, concerning Silas Dean.

Mr. Serj. Dawy. I hope he will be hanged in due time.

Pris. I hope not, Sir, nor no innocent man. Silas Dean is very innocent.

Baldwin.

Baldwin. He said he acquainted Silas Dean in what manner he was to set the Rope-houses and shipping on fire in England.

Court. He told you that he acquainted Silas Dean in what manner the dock-yard was to be set on fire?

Baldwin. Silas Dean was amazed he should undertake by himself to execute a matter of that kind; but he told Silas Dean that he could do more execution than he could imagine, or any other person upon the face of the earth. Then Silas Dean asked him what money he wanted to carry his scheme into execution; he told him, not much; he expected to be rewarded according to his merit. Then Silas Dean gave him bills to the amount of 300 l. and letters to a great merchant, or a great man in the City of London. He was very anxious to know whether Lord Cornwallis had been defeated between Brunswick and Trenton, in the Jerseys; he said that he knew General Washington personally, and he believed that General Washington's abilities were greater than General Howe's, and that General Washington would watch and harass General Howe's motions, and that he was assured that the Provincials would conquer this winter; that the great campaign was to be in the summer; that General Washington wanted only a few experienced officers, which he believed would be supplied from France, and Silas Dean was appointed for that purpose to supply him with ammunition and stores, but as for cannon balls he said they could procure a sufficiency to serve all Europe in America, at a place near Annapolis in America, which he himself had seen; likewise pitch, tar, and turpentine they seemed to have a sufficiency of.

2 This was in the course of a great number of conversations?

A. Yes, I waited on him from the 7th of February to the 24th, and never missed but one day; I was with him twice most days; he arrived at Dover for that purpose.

Pris. Remember that word;—this evidence was with me twice most days.

Mr. Serj. Davy. Yes, so he says.

Baldwin. He arrived at Dover for that purpose.

Court. Is that what he said?

A. That is what he told me—that he went to Canterbury, and went into a shop, and spoke for a machine to be made.

Pris. Where did I go from Canterbury? that implies I must have gone from some particular place.

Baldwin

Baldwin. You did not tell me that—He went into a shop, and ordered this machine to be made, that the master was a stupid fellow, and did not know what he meant.

Court. Did he say what machine?

A. He said the machine was called a tin cannister.

Mr. Davy. Q He said that was a machine which others call a tin cannister?

A. He called it a tin machine.

Q That the master was a stupid fellow, and did not understand his directions?

A. Yes, but the boy was more ingenious; but he was obliged to stay by the boy whilst he was making it to instruct him; that he gave him something to get some drink for his pains—then he went into a public-house with the cannister under his coat—the breast of his coat.—There was a dragoon in the public-house, who asked him at the time “who are you for?” He said he was an impudent fellow; with that the dragoon opened his coat to see the cannister—he saw it.

Q To see what?

A. To see what he had under his coat.

Q I don't understand you—what was the quarrel about—the dispute with the dragoon?

A. The dragoon asked him, “Which of them are you for?” He asked, “What do you mean?” “I mean, whether you are a barber or a taylor,” says the dragoon.

Q He opened his coat?

Serj. Davy. Q He saw something under his coat, he asked what it was for?

A. Yes, he said it was no business of his; called him an impudent fellow, and said he did not mind him, nor any of his master's men; he said there was another soldier in the room, who was a civil man; he drank to him, then after that, he went from thence to Portsmouth; at Portsmouth he took his lodgings at one Mrs. Boxall's.

Q All this you are telling, is the account he gave you in various conversations?

A. Word for word—That he took a lodging at Portsmouth.

Q At Mrs. Boxall's?

A. Yes, at Mrs. Boxall's, and there he tried all his preparations, which were matches he had bought; and he had a sheet of whitish paper folded in ten or twelve folds, then the

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paper was unfolded in order to be done over with with a composition made of charcoal and gunpowder; he said if the match was not doubled before this preparation was done upon it, that it would cause it to crack.

Mr. Serj. Dawy. If what was not doubled?

A. If the paper was not doubled.

Q. If the paper was not doubled, it would cause it to crack?

A. Yes; he said the charcoal must be ground very fine upon a colour-stone, the same as painters grind their colour upon, and then he said the gunpowder did not require much grinding; he said that might be mashed with a knife, in the same manner as painters mixed vermilion, but he said he must be very particular in mixing those two bodies; that the charcoal is ground in water, and mixed to the consistence of new milk, then with a small brush paint the paper over on both sides, with this here composition: he said, he had managed the matter so well, that one match would last 24 hours; he said he lodged at Mrs. Boxall's one night, and said, that M^{rs}. Boxall was a very impudent woman, for she had opened his bundle in his absence, and told me, this curious tin machine was of his own invention, and said, that he had a wooden box made, wherein there was a hole in the center, in order to put a candle in, no persons could see any light; he said, that the 6th of December last, he went into Portsmouth Yard, and got into the Hemp-house.

Q. The 6th of December?

A. The 6th of December, when there was a deal of Hemp there, and it was so platted together that he could hardly get it apart, he pulled his coat off, and then after lighting the hemp, placed this here cannister over the box with a small candle in it, and he sprinkled some turpentine about the hemp that was round it; he was some time before he found his coat afterwards, and when he had found it, that there was a deal of hemp sticking about it, which he endeavoured to take off; he then went out of the hemp-house into the rope-house, and there he placed a quart bottle of spirits of turpentine upon its side, with hemp instead of a cork, and close to the hemp he laid a piece of paper, and in this paper was some dry powder.

Pris. Pray, did I go straight out of the hemp-house into the rope-house?

Baldwin.

Baldwin. And to this gun-powder was one of these matchea leading to it, and over the gun-powder was some hemp, laid very lightly, and likewise a quart of turpentine strewed all about that, as soon as the fire from the match touched the powder, it would set it all of a blaze immediately, so by cutting this match which he had made into short pieces, it would answer any time that he pleased, in order to make his escape. The next day which was the seventh of December, he went from Mrs. Boxall's, and took two other lodgings, one was at a public house, the other was at a private house upon the Common, he mentioned the North street; he said he took particular notice before he took his lodgings, to see which houses had most wood about them, he had his combustibles about him for setting those houses on fire.

Q. Which houses?

A. His two lodgings the same day he set fire to the Rope-house.

Q. For setting those two houses on fire?

A. Yes, in order to keep the engines from playing on the Yard altogether.

Q. To engage the engines?

A. To engage the engines.—He said, that this lodging on the Common, he told the woman he was going to Petersfield, and begged her to take care of his bundle; after that he went into the Dock-yard, in order to set fire to both Hemp-house and Rope-house, he first went into the Hemp-house and struck a fire.

Q. For a light?

A. For a light;—but the matches that he had were very damp, that he could not get the sulphur to take fire, and that he wasted a whole box full of tinder, in order to light the candle, that he even blowed at the tinder till he had almost burnt his lips; he then went away from the Hemp-house, and procured some better matches, and returned and got into the Rope-house, and then set fire to the match that was laid into the powder.

Q. Did he mention to you about buying the matches?

A. He mentioned that he had bought a halfpenny worth of matches of a woman.—One matter I had like to have forgot, my Lord. He put his preparations in the Hemp-house; being so long there, he was locked into the Hemp-house; so that when he came to the door he went in at, he could not get out; he said there were several doors belonging to this

building, which he tried many times, he said, and went the whole length of the building, which he said was upwards of 360 yards; he then went up stairs, pulled off his shoes, and went the whole length there, and could find no possible means to get out. Then he returned, and got to the same door he come in at; there he heard some person's voice, and he knocked at the door, and said halloo. They asked him who was there, and what business he had there. He said it was curiosity that led him there; and he did not imagine they had locked up the house so soon; therefore the person told him to go straight forward and turn to such a door, and he would be able to get out, which he did. When he came out, he was vexed with himself that he could not set the Hemp-house on fire, and was also vexed that he could not go to his lodgings at Portsmouth common: that he had left a parcel, which parcel contained, among other things, a pistol, and an Ovid's Metamorphoses, and the Art and Dangers of War, or something near it, and a Justin; but the most that vexed him was—the passport he had left, which was signed by the French King, and in the passport was his real name; but, as it was in French, he did not imagine that the people at his lodging could read or understand it; but he was greatly amazed the passport had not been found. He imagin'd they meant to make a property of it; or, otherwise, he thought they might take no notice of it, and let it lye. That after setting fire to the Rope-house, he made the best of his way to London. He said, he was so sorry he could not get the matches to light in the Hemp-house, he had a good mind to go and shoot at the windows of the house of the woman he had bought them of. He said that he burnt the bills and letters that he had of Silas Deane, upon account of the behaviour of Mrs. Boxall; and to prevent suspicion of the gentleman whom they were for. After that, he jumped into a cart, and begged the woman to drive quick; that he rode in this cart near two miles, and gave the woman sixpence for driving quick; for he had three or four miles to go before he passed the centries. Soon after he had passed the centries, he looked back a few minutes after to see the flames; and he said, that the very element seemed to be on a blaze; that he walked forwards upon his way to London. He arrived at Kingston the next morning, which, was Sunday about ten, or between ten and eleven, and there waited till pretty near dusk, and then came in the stage to London, and then waited upon this great man in the city.

city. He told the man he had letters and bills upon him, which he was obliged to burn, which he received from Silas Drane, at Paris. The gentleman seemed to be very shy of him, and told him he had received no account from Paris. He said to the gentleman he might think what he pleased, but he was an enemy to Great Britain, and a friend to America, and that he had set fire to the Rope house at Portsmouth, which he would see in the papers on Monday—this gentleman ordered him to a certain coffee-house.

Court. I suppose by your repeating the word gentleman so often, he did not mention his name?

A. No, my Lord; I could not get his name from him—I wish I had—and the gentleman waited at the coffee-house for him.

Q. Did he appoint to meet him there?

A. Yes, there they had some little discourse, but the gentleman seemed still to be shy of him; that there was another gentleman at the coffee house which took particular notice of it, which he observed; and therefore did not chuse to stop long.—He was angry that this gentleman would not believe what he had told him; but he was satisfied he would receive a letter in a few days, and that he was going to Bristol, where he should hear of some more of his works.

Mr. S. Davy. Repeat that again; more of his works?

A. More of his handy works.—Do you chuse to have an account of all that was done at Bristol?

Mr. S. Davy. Yes, if you please.

Mr. Baldwin. In making his way to Bristol, he called at Oxford.

Court. Brother Davy, he is now going to talk about Bristol, if you do not want it very much, we have nothing to do with it.

Mr. S. Davy. I have no particular wish about it.

Mr. Mansfield. There are some circumstances respecting Bristol will come out by the evidence, which will very materially confirm the evidence of this man, particularly that which relates to its situation; the grinding of charcoal: and the reason for which the question was asked with regard to Bristol.

Court. You may give in evidence any conversation that relates to Bristol, that confirms any thing that has been said here.

Mr. Mansfield. Q. Repeat the account of grinding the coal.

Baldwin. He said he arrived at Bristol a few days before Christmas, and he got leave of a painter to grind some charcoal upon his colour stone.

Mr. S. Davy. Q. I want to know of you his reason, why he said he would go to Bristol more than to Winchester, Horton, or any other place?

A. He heard that there were three or four ships there that were mounted with eight carriage guns, and he wanted to see those vessels as they were going to the West Indies.

Mr. Mansfield. The same view with regard to America operated to carry him to Bristol; it was with that view the question was necessary.

Mr. Baldwin. He said a painter gave him leave to grind some charcoal.

Q. When was this? Was this before the fire at Portsmouth, or after it?

A. After the fire at Portsmouth.

Court. Then it is nothing.

Mr. S. Davy. I shall call a witness to confirm and prove many things after. for that he called upon a man to grind some charcoal, I shall call that man to prove he called at his house to grind charcoal. I don't mean the preparation relative to this particular fire at Portsmouth, it is a circumstance confirmatory of the rest, that he made such preparation, no matter what for.

Court. So far as that goes, I see no objection.

Mr. S. Davy. Let it be supposed the charcoal is for an innocent purpose, but it is a fact confirmatory of what he had said.

Baldwin. He said he ground it upon this colour stone, belonging to this painter at Bristol, that the painter took a good deal of notice about it, he was above two hours grinding a piece of charcoal of that size. (shewing two or three of his fingers)

Q. He told you he went to Bristol?

A. He told me he went to Bristol; the man saw him making this preparation.

Q. In consequence of the account you gave, enquiries were made of the several people?

A. Yes.

Q. When did you give an account of this conversation?

A.

A. I gave the account of this conversation day after day to my Lord Temple, and from thence to Lord George Germain.

Q. It was the 15th the particulars came out?

A. It was the 15th of February. It was from the 7th to the 15th before I could get any particulars, and on the 15th they came out.

Q. Then you gave an account to Lord George Germain and Lord Temple the several particulars you mentioned day by day?

A. Day by day; Lord Temple told me he was greatly amazed.

John Fisher sworn, examined by Mr. Buller.

Q. Where do you live?

A. At Mr. Lawrence Tuck's at Canterbury.

Q. Do you know the prisoner?

A. I think I have seen him.

Q. When?

A. About six or seven weeks before Christman.

Q. Where did you see him then?

A. At my master's shop, I think it was the same person that came and ordered two cannisters of me.

Q. What is your master?

A. A tinman.

Q. You say it is the same person?

A. I think it is.

Q. What was the directions for?

A. To make them of a long square.

Q. Have you got those cannisters here?

A. One I have, Sir.

Q. Produce it.

Witness. Here it is; (he produces a tin cannister, or case, like that found in the Hemp-house.)

Q. Was it not made by his directions?

A. It was made by his directions.

Q. What shape?

A. A long square.

Q. There was two of them left upon your hands?

A. Two of them.

Q. Did he call afterwards for them?

A. He called afterwards and they were not done—not completed.

Q. After that he never called again?

A. He never called no more.

Mr. Serjeant Davy. It will be fit for the Jury if your lordship pleases to compare this with the other, you see this is what he did not take away that the witness now produces?

(That which was found in the Hemp-house, and that which was left upon the tinman's hands compared together by the jury)

William Baldy sworn, examined by Mr. Mansfield.

Q. Look at the prisoner, did you ever see that man in the Dock-yard at Portsmouth?

A. Yes, Sir,

Q. Where, what part of it?

A. About 100 yards to the East end.

Q. Of what?

A. Of the lower floor of the Rope-house.

Q. In the Rope-house?

A. In the Rope-house, in the lower floor where the cordage is made, the 7th day of December.

Q. And you are sure you saw him in the Rope house?

A. Yes, Sir.

Q. What time of the day?

A. Between eleven and twelve, my Lord, nearer twelve than eleven.

Q. What part of the house?

A. Within 100 yards of the East end of the lower floor, he crossed over to me where I was sitting.

Q. What was your conversation about it?

A. He picked up a small smooth stone, which he held up in his finger, in this manner, and said, Pray Sir, do you make use of this in making of cables? the address of the question induced me to look at him, I thought he appeared very ignorant; I said no, we don't make use of those things.

Q. You had that conversation in consequence of that question?—Yes.

Q. Did he stay any time there?

A. He staid the value of five or six minutes.

Q. And then he left you?—Yes Sir.

Q. When did you see him again?

A. I saw him in about ten minutes after, or a quarter of an hour.

Q. When the second time?

A. I saw him the second time at the East end of the same floor.

Q. Was he doing any thing particular, or walking about?

Q. He did not do any thing particular; he came down stairs?

A. Yes, there was one William Weston he addressed, with How do you do, how do you do?—holding out his hands, they fell into conversation which did not concern me; by the man's addressing him, I supposed they knew each other upon which I took myself off.

Q. Having seen the prisoner now, are you not certain that is the man you saw in the Rope-house the day of the fire?

A. Yes, Sir.

Q. What is your business in the Dock-yard?

A. I am a rope-maker.

William Weston sworn, examined by Prosecutors Council.

Q. Look at the Prisoner behind you, have you ever seen that man before?

A. To the best of my knowledge I have.

Q. Where?

A. In the Rope-house the day that the fire was; to the best of my knowledge that is the man I saw in the Rope house.

Q. You had some conversation with him?—Yes, Sir.

Q. Did you know him before?

A. About seven weeks before, for he was walking round; and he said he never was in the Dock before—he asked which was the painter's shop.

Q. You had known him before, that was the reason he spoke to you before you spoke to him, the day of the fire?

A. Yes.

Q. The day before the fire was, you spoke to him, and you had seen him seven weeks before?—Yes.

Q. In the Rope-house?—Yes, seven weeks before.

Q. Did you see where he came from Mr. Weston?

A. No.

Q. What part of the house did he come from?

A. I don't know.

Q. Did you see him come down stairs?

No.

A. No, Sir, he had been up stairs; I suppose, because I saw him come down stairs.

Ann Hopkins sworn, examined by Mr. Buller.

Q. Look at the man that stands behind you; have you ever seen him before?—A. Yes.

Q. When?—A. Upon Saturday.

Q. What Saturday?—A. Last Saturday, Sir.

Q. When did you first see him?

A. The day that the Dock was on fire.

Q. At what time did you see him?

A. I believe it was four. or half after. I cannot be exact as to the time.

Q. Where did you see him?

A. I was coming from market in my little cart: he came by the Flying Bull at Cosham, and stopped my cart: it was a tilt-cart close, and I was alone. I did not see him till I came close to him. He stopped my cart, and asked where I was going. He said he would give me any thing to give him a lift; that he was going to Petersfield, and should be benighted, and that he must go. He jumped into the cart immediately. After he was up in the cart, he said—Do, Mistress, drive faster; drive as fast as you can. Coming out of Cosham, I called at a shop to buy a pair of pattens of a shilling price.

Q. When he came up to you, was he heated at all?

A. Yes; very much out of breath. He appeared to be so. He desired me to go as fast as possible. When we came out of Cosham, I bought a pair of pattens at one shilling price. I was to give the woman a shilling for the pattens. He took a shilling out of his pocket, and gave the woman.

Q. And you gave the other?—A. Yes.

Q. What was that for?

A. I don't know—to make haste—I told him I must stop at the shop; he hoped I would not make it long.

Q. When you told him first, he desired you not to stop?

A. Yes; he said, he wished he could get a return post-chaise. He would give any thing for a return post-chaise; he must go to Petersfield. When I came to the pond, in sight of my own house, I stopped to let the horse drink. He jumped out of the cart, and ran away as fast as ever he could run, and went the London road. I never set eyes on him after.

Q. Was

Q. Was it before the fire happened?

A. No, Sir; it was after I got him it begun, I believe.

Q. The prisoner, when you stopped, you say, to let your horse drink, jumped out of the cart, and went up to the great London road?

A. Yes; and I saw no more of him.

Elizabeth Gentle sworn, and examined by Mr. Serj. Davy.

Q. You live at Portsmouth?--A. At Portsmouth Common.

Q. Look back, and see that man. You saw him yesterday, I believe?--A. Yes.

Q. When was the first time you saw that man?

A. The day before the fire.

Q. Where did you see him then?

A. I saw him at my own house on Portsmouth Common.

Q. Upon what occasion did you see him there?

A. He came to my house and asked me for a halfpenny-worth of matches; I took him down two bunches, and put them upon the counter he asked me if they would take quick; I told him there was a fire, he might try them: He takes up two bunches, and gives me one, and desired I would change it; I did; he takes his money out of his pocket, and he takes out some silver and halfpence to give me a halfpenny; I gave him another bundle.

Q. Then he paid you?--Yes.

Q. Are you sure this is the same person?

A. I am certain of it, Sir.

Pris. Are you certain, from so small a view? you have hardly observed my physiognomy?--A. I did.

Q. By so short a look at me?

Mr. S. Davy. That is a very material observation; you say you are sure of the man; he says, you did not stay long enough for you to observe his countenance.

Pris. No, No, I did not say that--that is a mistake; I say the evidence took so short a notice of me now, when she looked up at me.

Elix. Gentle. I saw him in the goal.

Mr. S. Davy. Look at him again particularly; are you sure that is the man?--A. I am certain of it.

Mr. Davy. The jury should be informed, by the officers of the court, what are the contents of this bundle: But first the passport should be seen.

D

Pris. I

Pris. I should be glad to know if there is any more witnesses from Canterbury; have I any authority to call them?

Mr. Bury. This we are going to call will be the last witness from Canterbury.

John Aillingdom sworn, examined by Mr. Mansfield.

Q. Can you see the prisoner?—*A.* Yes.

Q. Did you ever see him at Canterbury?

A. As far as there is any human probability of knowing a person again, I did Sir.

Q. You mean he has been seen by you at Canterbury?

Q. What are you?

A. A surgeon and apothecary, lately an apprentice.

Q. Upon what business, or occasion, did you see him at Canterbury?

A. By his coming and buying some articles.

Q. What articles did he buy?

A. Two ounces of spirits of turpentine, and a quarter of a pound of saltpetre, what we call nitre.

Q. About what time, as far as you recollect?

A. As far as I can recollect, since this discovery, it was either three or four days before or after the twentieth of November.

Mary Bishop sworn—examined by Mr. Mansfield.

Q. Did you ever see the prisoner before?—*A.* Yes.

Q. Where?—*A.* At my house in Canterbury.

Q. Do you recollect at what time you saw him there?

A. It was between Michaelmas and Christmas; but I cannot recollect the particular time.

Q. Had he any conversation with you when he was at your house at Canterbury?

A. He told me he had been interrupted by a dragoon at the White Horse; he told me he came from America on account of the disturbances.

Q. Do you recollect whether he applied to you to direct him where he might get any thing made?

A. He asked me afterwards where he might get a wooden thing made?

Prisoner. Is that a proper question to put?

Counsel. If I was to put an improper question the Judge would stop me.

Court.

Court. No improper question will be put: and you ought to see by this time that the candor of the counsel for the crown will prevent them putting an improper question.

Q. Did you see any thing that was made for him?

A. I saw a wooden thing which the apprentice of Mr. Overshaw, to whom I directed him, brought into my house for him; the prisoner put it under his coat, wishing not to have it seen.

Q. Did you see that wooden thing?

A. I saw the wrong end of it; the shape of it was a long square.

Q. Was it all like this (*showing the witness the wooden part of the machine found in the Hemp-house.*)—*A.* Yes.

Court. How long was it after he asked you where he could get such a thing made, that you saw it brought to him by the apprentice?

John Dobby, sworn, examined by Mr. Messing.

Q. I believe you apprehended the prisoner.—*A.* I did.

Q. What did you find upon him when you apprehended him?

A. I found upon him a Bath metal seal; a pair of steel buttons; a snuff box with tinder; a small powder horn with gunpowder; a large nail piercer; a striking tinder box primed; a screw barrel pocket pistol loaded with shot; two bundles of matches dipt in brimstone; a phial bottle half full of spirits of turpentine, and a pair of scissars.

Thomas Mason sworn, examined by Mr. Dawy.

Q. Where do you live?

A. In the parish of St. Philip and Jacob, in the County of Gloucester, near to Bristol.

Q. Look at the prisoner, did you ever see him before?

A. He was in my house the morrow after Christmas day.

Q. What business had he there?

A. He came to my house about eleven o'clock; he asked me to let him grind a lump of charcoal upon my colour-stone.

Q. What business are you?

A. I am a tyler, and plasterer, and house painter; I told him yes, sure, and welcome; I shewed him my colour-stone.

Q. What did the prisoner tell you he was?

A. I talked with him a good while afterwards; when I was in my room, I saw him pull a hanger from under his coat when he began grinding, and lay it down, and lay his great

coat upon it; I said, why you are one of the press gang; no, Sir, said he, I be not.

Q. What did he tell you?

A. I asked him when he was sitting in my house, what he did think of the American affairs; he said, he wished that affair had never happened; that he had lost a plantation there, and he hoped when that affair was over he should have it returned to him.

Counsel for the Crown to James Gambier, Esq. Have you, Sir, translated the Passport?

Mr. Gambier. This is the translation as well as I understand the English of it.

Prisoner. I object to the passport being read.

Court. State your objection.

Prisoner. I object to the passport being read.

Court. State your objection.

Prisoner. That they who shall be called to witness for or against me, may not hear the contents of it.

Counsel for the Crown. We shall call no more witnesses.

The passport was read as follows:

Exhibited at the Office	}	By the KING.
of Marine at Calais.		

To all Governors and our Lieutenant Generals of our Provinces and Armies, Governors particular, and Commanders of our Towns, places, and Troops; and to all other Officers judicary, and subjects to whom it shall belong.

Health.

We will command and you very expressly to let pass safely and freely, Mr. James Adair, going to England; without giving him, or suffering him to have any hindrance; but on the contrary, every aid and assistance that he shall want or have occasion for. This present passport to be valid for one month only, for such is our pleasure.

Given at Fontainebleau the 13th of November, 1776.

Gratis.	By the King,	L O U I S.
		De Vergennes.

Counsel for the Crown. Now it will be material for the officer to tell your lordship what those books are.

Officer. The books are Ovid's Metamorphoses, a Treatise of the arms and Engines of War, of Fire Works, &c. and the other is the History of Justin.

Counsel

Counsel for the Crown. My Lord, this is all our evidence.
Court. Prisoner, the evidence against you is now closed;
 this is therefore the time for you to make your defence.

PRISONER'S DEFENCE.

I understand, my Lord, that the French Passport was not found out till a few days ago, and since my first apprehension, a great part of the kingdom has been sought, and persons have been brought from many different places to give evidence who I was, or what I am, or so far as they knew about me, and every particular thing that has been witnessed respecting the late fire in the Dock-yard, from these evidences given, and the communication of them to all the people in the kingdom, by news-papers and otherways, I think it is possible, and may have been possible, for Mr. Baldwin, or for any other person that is any way at all intelligible, to bring every evidence against me that that person has done, by the said knowledge from public papers and conversation; nevertheless, whether it is a false accusation, that is upon me, or whether it is a betraying of trust, through the treachery of the heart, God Almighty, the great judge of all, only knows; if it is the former, I pray God Almighty may forgive him! if it is the latter, I pray the same! but in that case I should like to know, whether it is proper, that a person possessed of such a disposition as that, should come from emissaries unknown to me, and do all that lies in him to insinuate any thing out of me, unknown to me, and daily to come and go, and give information to the said Lord George Germain? I should like that your lordship would take it into your consideration, as in the sight of God, whether such a person has a right in the sight of God, and according to the laws of man, and of this kingdom, to give evidence against a man, that his evidence ought to be regarded? He that may have been able to betray me, and speak things in the dark of me; he is able also, I think, to give the lie to any man, through motives of gain, or any other motives whatsoever; your lordship can consider that in your own mind, much better than I can speak it, as I am not endowed with oratory.

Court. Do you rest your defence on that observation, or do you intend to call any witnesses?

Prisoner. For what end? till something is proved positive against me, I intend no defence in the world. I am ready to live or die according to justice.

Then

Then Mr. Baron Hotham began to recapitulate the deposition of the several witnesses, in which he displayed the true feelings of a Christian, exposing as well as at times forbearing to dwell on, the heinousness and fatal nature of the prisoner's crime, and concluded his charge to the Jury with the following observations:

Gentlemen, the trial has lasted already very long; the summing up has also been long. I have endeavoured, as I have gone on, to lay together some of the many circumstances of this case for your consideration; and I do assure the prisoner, as well as you, that if I had found myself enabled in my conscience to have stated any thing more favourably for him, I would have been the first to have done it. I thank God, gentlemen, that you are to judge of these circumstances; you are to lay them all together, and draw your conclusion from them; and if you believe that there is such a train following one another, I had almost said so irresistibly, as that you cannot doubt that in the first place the fire did happen by these combustibles, and then that the prisoner was the person who laid those combustibles there, I should suppose you can have no doubt but that he set this building on fire wilfully and maliciously. If, on the other hand, you should feel, though there are a great number of circumstances tending in some degree to the proof of the fact, that your minds are not satisfied that it comes home to the prisoner, if you are of that opinion, you ought to exercise the jurisdiction which you have, and acquit the prisoner.

I will say one thing more, and only one; you are bound by your oaths to give a true verdict; and if the circumstances of the case appear to you decidedly strong, you will of course give your verdict on that side on which they preponderate; but if you should think that they are still so doubtful, as that you cannot satisfy your minds this was the very man who did the fact, in that case, in favour of life, you ought to acquit him.

The Jury almost immediately pronounced the Prisoner GUILTY.

The Prisoner was then asked, in the usual form, what he had to say why sentence of death should not be passed upon him, to which he replied, "I have nothing to say."

... guilty ... o Mr.

Mr. BARON HOTHAM.

Prisoner. You have been indicted, tried, and convicted of a crime, which the law of this country has thought fit to make capital, and now the most painful moment that I have undergone in the course of this trial is arrived; for it is my duty to pass upon you that dreadful sentence. I shall not interrupt those feelings which I trust you have, by talking to you of the enormity of the offence, which you have committed; because it is impossible for me, or any man that hears me, to add a word by aggravation to it; and it has this in particular about it, that it cannot have been committed from any motive of pride or malice, revenge, or lucre. It can have proceeded only from a general malignity of mind, which has broke out in a desire and a design, not only to ruin one devoted individual, but to involve every one of this audience, nay the whole English nation, perhaps, in immediate ruin. You cannot therefore be surprized that the law has thought fit to punish such a crime with death. You can as little be surprized, if, after you have been convicted upon the clearest evidence of this offence, I can give you no hope of pardon. The prisoner said, "I do not look for it my Lord." It is impossible for me to say a word in your behalf; and therefore I must exhort and conjure you, in the most solemn manner, to prepare yourself during the few days you have to live, to meet the great God in another world, and to ask him there for that pardon, which you could not receive in this; there it will be worth receiving; and atrocious as your crime has been, short as the time is that you have to live, a sincere repentance now on your part, may, and I hope in God will procure you mercy at his hands. I say all this not to comfort or distress you in your present unhappy situation, but merely from motives of humanity and religion. For you cannot be suffered to live in this world; you must die, and that within a few days. And therefore, before you go into eternity, for your souls sake, do what you can, that that eternity may be an eternity of bliss instead of misery. I have only now to pronounce the painful sentence of the law which I am bound to do, and I accordingly adjudge and order that you be hanged by the neck until you shall be dead, and the Lord have mercy upon your soul.

Pris. My Lord, I am exceedingly well satisfied.

The voluntary Confession of James A. Green, commonly called John the Painter, now a Prisoner in the County Goal of South-
City of Winchester. ampton, and under Sentence of Death, for burning the Dock-yard at Portsmouth taken this Twenty-eighth Day of March 1777.

SAITH, that he was born at Edinburgh, the 28th of September, 1752, his mother now living, as he believes. Curiosity led him to Virginia, in America, at the age of twenty-one, as an adventurer to seek his fortune.—Left America in March, 1775.

In October, 1775, by the name of James Boswell, enlisted a private soldier in the thirty second regiment at Gravesend, marched to Chatham next day, from whence he soon deserted; was not concerned in the fire in Temple-street Bristol, nor privy to it. Broke into Mr. Morgan's warehouse at Bristol alone; no person concerned with him in that, or any other accident, that ensued in that city. He intended to set fire to two houses in Portsmouth, in order to employ the engines, whilst the fire might spread in the Rope-yard. Broke into Mr. Morgan's warehouse at Bristol, in order to burn it, that the engines might be there employed, whilst the shipping were burning and the quay, for which purpose he left a lighted candle in the said warehouse. Mr. Deane told him when he had done (meaning burning the dock-yards at Portsmouth, Woolwich and Bristol harbour, but not the boats) he should make his escape, and come, if possible, to him at Paris; and he should be rewarded. As a reward his own expectations prompted him to hope, that he should be preferred to a commission in the American army.

When after setting fire to the Rope-yard, he left Portsmouth (to wit) the next night, being Sunday, he reached London, and went to Dr. Bancroft, No. 4, Downing-street, Westminster, to whom he had a verbal recommendation from Mr. Deane, who gave him at Paris the Doctor's name in writing, and place of abode; but the Doctor would give him no countenance.

That he saw the Doctor the day following in the Salopian coffee-house, and told him that he would do all the prejudice he could to this kingdom; to which the Doctor replied,

“ he

“ he could not be of opinion with him in that respect, for
 “ that he got his bread in this kingdom, and therefore would
 “ not be concerned with him ” And seeing that the Doctor
 did not approve of his conduct, he hoped he would not in-
 form against him, to which the Doctor said, “ he did not
 “ like to inform against any man.” When at Paris, he was
 assisted by Mr. Deane with twelve six livre pieces; he asked
 for no more, neither did he receive from him any bank bill,
 draft or note whatever.

After leaving London (to wit) at High Wycomb, he roke
 into a house, and took away a few linens, consisting of caps,
 handkerchiefs, but nothing of value. He then went to Ox-
 ford, from thence to Abingdon, where he attempted to break
 into two houses, silversmiths or watchmakers, but without
 effect. From thence he went to Fairford, where he broke
 into a house, and took from thence a number of stockings
 and handkerchiefs, and a metal watch, and near fifty shillings
 in silver and halfpence; the watch he pledged for sixteen shil-
 lings, in the name of James Hill, at a pawnbrokers in Castle
 street, Bristol. After this, without attempting any thing,
 but having prepared some of his ingredients, he went from
 Bristol to Plymouth, with intent to set fire to the dock yard
 there; twice he reached the top of the wall, but the watch-
 men being near, he could hear them talk together, especially
 the last night, therefore he desisted; he never committed, or
 attempted to commit any robbery, but when he was like to
 be drove short of money.

After leaving Plymouth, he returned once more to Bristol,
 with a determined resolution, then to set fire to the shipping
 in the harbour, and in his way to Bristol, at Taunton, he at-
 tempted to break into the house of a silversmith, or watch-
 maker, without effect.

He attempted the shipping a second time, but on account
 of the vigilance of the watch, then kept on the quay and in
 the ships, his attempt proved abortive. He, likewise, at-
 tempted on the Saturday morning, to get into a stable or
 coach-house on the quay, in order to set fire to it; but seeing
 a man lying in a cart near the place, he desisted.

On the Sunday morning following, he set fire to the ware-
 house in Bristol, in Quay Lane, which he effected in the fol-
 lowing manner; viz. he bought some coarse flax on the quay
 and some turpentine at another place; and with those and
 charcoal matches and gunpowder. and striking a spark of
 light

light on tinder, to which he set a paper match, he effected his purpose. The match was made of touch paper, and as that consumed to the end, the powder being laid, and wrapped up, likewise, in touch paper, it of course took fire, and so he presumes it instantly mounted into a blaze. Then he left the town, but seeing no fire behind, he returned back part of the way, till at last, hearing the city was on fire, he then went on to Sudbury, and so crossing the country to Mafford and to Chippenham and Calne. But the first night after the fire, he slept at Sudbury; the second night, he broke open the door of an outhouse near it, where he slept, and left behind him in the morning a dark lantern. On the Wednesday night he went to Calne, and being near short of money, broke open Mr. Low's house; which robbery, as it is known he has no occasion to enlarge upon it. He left a parcel, with a pistol and other things in the parcel, in the church porch of Calne.

He never was in the 45th regiment; neither did he go to America in any regiment.

His father was a blacksmith at Edinburgh, and he was apprenticed to a painter there, served his time out, and then had his indentures delivered up, which he usually carried about in his pocket, and afterwards burnt them: which gave rise to the story of his destroying papers to the value of three hundred pounds.

Those were the things of value, which he meant to express by what he had burnt.

As to any merchant in London, or any other person, except Dr. Bancroft, he had no recommendation to, or conversation with, respecting the many unhappy accidents before related.

That he stopt a post chaise, between Portsmouth and Petersfield, with a gentleman and lady in it, some considerable time before the fire, and robbed them of nine shillings and six pence, of which he returned two shillings.

The latter end of December, 1775, he enlisted at Chard in Somerset, in the 13th regiment, with a recruiting sergeant, and a few days after deserted.

At Thichfield, as has been publicly mentioned, he followed the trade of a painter, also at Birmingham with Mr. Robinson, at Warrington.

That he had committed, and attempted to commit several other robberies and burglaries.

De'clare

Declares that all the facts herein mentioned of a public, as well as of a private nature, were of his own free choice, and that he was not advised or instigated thereto by any person whatever, except what is before related, and that he had no accomplice.

One other circumstance strikes his recollection which happened in the city of Norwich, at the house of Mr. Mark, where he stole two silver table spoons, and a pair of silver buckles in the spring of 1776.

JAMES AITKEN.

Sworn by George Darnford, N. P. Smith, two of his Majesty's Justices of the Peace, in and for the city of Winchester.

The following Letter was sent from him to Mr. Lawrence, at the Beaulieu in the Downs, after receiving the Sacrament on the 10th.

Dear Mr. Lawrence,

I have sent you inclosed a further confession of some particulars, which, with the others, I humbly desire you will make known to the world.—"I James Aitken, was born in Edinburgh, was brought up from the 9th to the 15th year of my age in Harriot's hospital, then was put apprentice to a painter for seven year, which time I served out, after that I came to London, and from thence to America, as an indentured servant with Captain John Robertson, but when there I made a verbal agreement with him, to pay him 24^l. Virginia money for my liberty, but after paying some of it to him, and a little more of it to a Mr. Graham, I left that province without paying the rest of it, and went into North Carolina, from whence I sailed to England, landing at Liverpool, May 5th or 6th, 1775, where I have committed many enormous crimes since, many of which I have already told you. Amongst others, I stole I chaife or litter near Cambridge, and took from the man a bad shilling, I think 'ome time about the month of August, 1776,—some time after, I broke into a house near Warrington, viz. between that and Holmes Chapel, and took from thence handkerchief, and other things, and of money something less than 20 shillings. After that I broke into a house in a town a few miles from Coventry, and took away a great quantity of handkerchiefs, sixpence in silver, and some halfpence, I believe this was in the beginning of October 1776. After that, in a few days, and a few miles from Basingstoke, I committed a rape upon a girl that was keeping of sheep, to my shame be it said. I likewise committed a burglary in the house of Mr. Newman, glazier in Rumsey, and stole several articles. Besides these a great number of other crimes.

Account of the Execution of James O'Connell by Mr. Commissioner Gambier,

James O'Connell was carried from Winchester Goal on the 10th to Portsmouth, where it was appointed he should be executed at the Dock-house; and the following is an exact account of his Behaviour from the time of his arrival to the time of Execution.—“Having been carried in an open cart by the Hemp-house and round the ruins of the Rope-house, when he came opposite the Commissioner's house, he desired to speak with him, who, thereupon, coming close to him, he said, ‘Sir, I acknowledge my crime, and hope for forgiveness from God, through the merits of my Saviour Jesus Christ. I ask pardon of you, Sir, and hope your forgiveness;’ upon the cart's moving, he said, he had one thing more to observe as a caution to do all the Commissioners of the Dock-wards throughout the kingdom; to be more vigilant and careful of them for the future, because it is in the power of a determined and resolute man to a great deal of mischief. O'Connell (said he) to have given a stab on the side, but it had only been a slight scratch in the hand.’ As the cart stopped at the end of the Rope-house, he looked attentively at the place of his perpetration, and said, ‘I acknowledge my crime, and am sorry for it. After this declaration, he was conveyed to a scaffold, by the side of one of the docks, from whence he made a pathetic speech to the populace, and in a few minutes after, having pulled a cap over his eyes, he was run up to the main mast of the *Arethusa*, then in dock, about 74 feet high. His body after hanging the usual time, was taken down, and affixed in chains to a gibbet on the beach, at the entrance of the harbour, near Blackboole fort, which was ready to receive it. He died with great fortitude and composure.

Just before he was turned off, he said, ‘I acknowledge the justice of my sentence, and hope for forgiveness, as I forgive all the world; I wish success to his Majesty King George and his family, and all his loyal Subjects; and I hope for forgiveness in all the transactions that I have been guilty of from the year 1772 since my apprenticeship.’

F I N I S

